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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,634	03/15/2004	Yoshiya Tomatsu	119089	8525
25944	7590	01/09/2006		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER ROYER, WILLIAM J	
			ART UNIT 2852	PAPER NUMBER

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/799,634

Applicant(s)

TOMATSU, YOSHIYA

Examiner

William J. Royer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-23 and 25 is/are allowed.
- 6) ☒ Claim(s) 1,9,12 and 24 is/are rejected.
- 7) ☒ Claim(s) 2-8,10,11 and 13-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03152004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The disclosure is objected to because of the following informalities:

On page 1, line 13, delete --- through ---.

On page 2, line 4, after "each of" insert --- the ---.

On page 2, lines 20 and 24, change "presses" to --- press ---.

On page 3, lines 6, 10 and 22, change "presses" to --- press ---.

On page 4, lines 1, 12 and 16, change "presses" to --- press ---.

On page 7, line 7, change "pat" to --- part ---.

On page 7, line 9, delete --- at a ---.

On page 7, line 25, change "sheet roller" to --- sheet feed roller ---.

On page 8, line 1, change "pat" to --- feed part ---.

On page 8, lines 2, 3, 7 and 22-24, change "pat" to --- part ---.

On page 8, line 5, change "sheet roller" to --- sheet feed roller ---.

On page 8, line 8, change "sheet is" to --- sheets 3 are ---.

On page 8, line 9, change "of" to --- on ---.

On page 8, line 13, change "and the" to --- and a ---.

On page 9, lines 1 and 4, change "pat" to --- part ---.

On page 9, line 5, change "sheet 3 is" to --- sheets 3 are ---.

On page 9, line 9, change "formation part" to --- forming section ---.

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On page 9, line 25, change "Scorotron" to --- scorotron ---.

On page 10, line 14, change "spherical" to --- spherical ---.

On page 13, line 1, change "dram" to --- drum ---.

On page 13, line 4, after "drum" insert --- 29 ---.

On page 13, lines 6, 9, 10 and 24, change "Scorotron" to --- scorotron ---.

On page 13, line 21, after "roller" insert --- 31 ---.

On page 14, line 2, after "drum" insert --- 29 ---.

On page 14, line 16, delete --- through ---.

On page 15, line 8, after "from" insert --- a ---.

On page 18, line 7, change "/the" to --- and the ---.

On page 20, lines 15 and 17, delete --- at the ---.

On page 22, lines 3 and 19, after "from" insert --- a ---.

On page 22, line 8, after "protrusion" insert --- part ---.

On page 27, line 6, change "the hinge" to --- a hinge ---.

On page 31, line 11, change "holders" to --- bearing members ---.

On page 31, line 15, change "72" to --- 47 ---.

On page 32, line 19, change "thermostat cuts" to --- thermostats 49 cut ---.

On page 33, line 5, change "47" to --- 43 ---.

On page 33, line 14, change "frame" to --- plate ---.

On page 33, line 19, after "motor" insert --- 85 ---.

On page 34, line 5, change "/the" to --- and the ---.

On page 35, line 19, change "80" to --- 94 ---.

On page 38, line 19, after "first" insert --- pressure ---.

On page 39, line 20, delete --- through ---.

On page 40, lines 21 and 23, delete --- through ---.

On page 41, lines 2, 7, 10 and 17, delete --- through ---.

On page 41, line 6, change "2" to --- 42 ---.

On page 43, line 21, after "second pressure roller" insert --- 45 ---.

On page 44, line 18, after "rod" insert --- 80 ---.

On page 45, line 1, change "/the" to --- and the ---.

On page 45, line 2, after "levers" insert --- 76 ---.

On page 45, line 3, change "4" to --- 44 ---.

On page 51, line 6, after "roller" insert --- 98 ---.

On page 53, line 2, change "200" to --- 20 ---.

On page 53, line 16 through page 71, line 12, it appears that these lines could be deleted since they appear to be summaries of Claims 1-25.

Appropriate correction is required.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

*The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.*

Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9, line 2, "the holding member" lacks proper antecedent basis.

Claim 9, line 6, "the respective holding members" lacks proper antecedent basis.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless –*

*(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

Claims 1, 12 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaneko et al. Referring to Figure 3, Kaneko et al disclose a fixing unit (i.e., thermal fixing device) including: a fixing roller 1 (i.e. fixing member) configured to be in contact with a recording material 4 (i.e., fixation medium); a pressure roller 3 (i.e., first pressing member) disposed to face the fixing roller and presses the recording material to the fixing roller; a recording material pressing roller 5 (i.e., second pressing member)

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disposed to face the fixing roller at a position downstream in a conveyance direction of the recording material with respect to the pressure roller and presses the recording material to the fixing roller; and a changeover unit configured to change over a pressing force  $W$  (i.e., force per unit area) of at least one of the pressure roller and the recording material pressing roller.

***Allowable Subject Matter***

Claims 2-8, 10, 11, 13-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 9 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 17-23 and 25 are allowable over the prior art of record because the prior art of record fails to teach or suggest providing a fixing device with a friction coefficient of a second pressing member to a fixation medium that is equal to or larger than a friction coefficient of a first pressing member to the fixation medium.

***Relevant Prior Art***

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Parzanici discloses a fixing station including a heated fuser roll and a pair of backup rolls.

Storlie et al disclose a fuser including a heated fuser roller and first and second pressure rollers.

Yoda et al '019 disclose a fusing device with rollers having different speeds.

Yoda et al disclose a fixing apparatus including a heat roller and first and second pressing rollers.

***Contact Information***

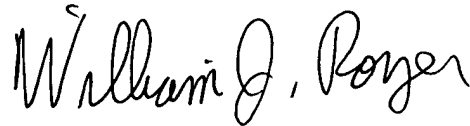
Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Royer whose telephone number is (571) 272-2140. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "William J. Royer". The signature is written in a cursive, flowing style with a large initial "W".

William J. Royer  
Primary Examiner  
Art Unit 2852

wjr  
January 6, 2006